

REMARKS

This paper is presented in response to the Final Office Action. Claims 11 and 20 are amended. Claims 1-10, 21, 28, and 33-35 were previously canceled. Therefore, claims 11-20, 22-27, and 29-32 remain pending.

Reconsideration of the application is respectfully requested in view of the following remarks. For the convenience and reference of the Examiner, the remarks of the Applicants are presented in the order in which the corresponding issues were raised in the Office Action.

I. General Considerations

Applicants note that the remarks and amendments presented herein have been made merely to clarify the claimed embodiments from elements purported by the Examiner to be taught by the cited references. Such remarks, or a lack of remarks, and amendments are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicants: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicants reserve the right to challenge the purported teaching and prior art status of the cited references at any appropriate time.

In addition, the remarks herein do not constitute, nor are they intended to be, an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed herein are presented solely by way of example. Consistent with the foregoing, the discussion herein is not intended, and should not be construed, to prejudice or foreclose contemporaneous or future consideration, by the Applicants, of additional or alternative distinctions between the claims of the present application and the references cited by the Examiner, and/or the merits of additional or alternative arguments.

II. Rejection Under 35 U.S.C. § 103

Claims 11-20, 22-27, and 29-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,582,135 to Brun et al. ("*Brun*") in view of U.S. Patent Publication 2003/0077047 to Hwang et al. ("*Hwang*"). Applicants respectfully disagree but

submit that in view of the discussion set forth below, the rejection is moot and should be withdrawn.

For example, each of claims 11 and 20 have been amended to recite, among other things “a plurality of glass spacers circumferentially disposed about [a] dual fiber collimator.” Support for this amendment can be found in the application at Figure 2C, for example. In contrast, the Examiner has not established that *Brun* nor *Hwang* disclose or suggest these limitations in combination with the other limitations of claims 11 and 20.

In particular, the Office Action identified ferrule (16) as corresponding to the claimed dual fiber collimator and asserted that *Brun* teaches “a plurality of glass (fused silica) spacers 14/36 disposed about the dual fiber collimator.” See Office Action, p. 3. However, as shown in figure 3 of *Brun*, sleeve (36) is not “circumferentially disposed about” any portion of ferrule (16). As characterized by the Examiner then, only sleeve (14) surrounds ferrule (16). Clearly, a single sleeve (14) is not the same as the claimed “plurality of glass spacers,” (emphasis added) as claimed. Therefore, the Examiner has not established that *Brun* teaches the aforementioned claim limitations.

Claim 27 recites, among other things: “wherein the plurality of spacers are glass... wherein [a] first optical element is disposed within the plurality of spacers... whereby the first optical element is securely positioned within the first end of [a] metal housing by the plurality of spacers.” As discussed immediately above, only a single sleeve (14) of *Brun* appears to surround ferrule (16), not sleeve (36). Therefore, ferrule (16) is neither “disposed within [a] plurality of spacers,” nor is ferrule (16) “securely positioned within the first end of [a] metal housing by [a] plurality of spacers,” as required by claim 27. Emphasis added. Applicant thus respectfully submits that the Examiner has not established that claim 27 is anticipated by *Brun*.

In view of the foregoing, Applicants submit that claims 11, 20 and 27 are in condition for allowance. Claims 12-19, 22-26, and 29-32 are allowable at least by virtue of their dependency from an allowable independent claim.

CONCLUSION

In view of the amendments and remarks submitted herein, Applicants respectfully submit that each of the claims 11-20, 22-27, and 29-32 now pending in this application is in condition for allowance. Therefore, reconsideration of the rejections is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 31st day of May 2007.

Respectfully submitted,

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